



August 19, 2016

**VIA ECF**

Magistrate Judge Marilyn D. Go  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: Eugenie Bouchard v. United States Tennis Association, et al.  
Civ. Case No. : 1:15-cv-5920

Dear Judge Go:

This office represents the Defendants in the above-matter. We write to seek clarification of the Court's Minute Entry posted on the Docket on August 16, 2016.

During the telephone conference with counsel conducted on August 12<sup>th</sup>, and according to our notes of that conference, Your Honor directed Plaintiff only to provide Notice of any and all experts (type of expert; areas of expertise and general subject matter) on or before September 23, 2016. However, the August 16<sup>th</sup> Minute Entry directs "any party" to do so – meaning that the Defendants are now likewise obligated.

Defendants' decision to retain any expert will largely depend on the types of experts retained by the Plaintiff and the subject matter of their testimony. Stated otherwise, there would be little reason for Defendants to retain, and pay for, an expert in a given medical field if the Plaintiff has no plans to enter expert testimony in that field. Defendants respectfully suggest that a clarification/modification of the Court's August 16<sup>th</sup> Minute Entry is warranted.

Accordingly, Defendants respectfully request that the Court's Minute Entry of August 16<sup>th</sup> be modified such that Defendants' deadline to identify their experts be set 30 days after Plaintiff's. [Plaintiff's counsel, Mr. Sirotkin, has indicated that he has no objection to this requested relief.] In this way, Defendants' counsel would be afforded ample opportunity to review Plaintiff's Notice and, following consultation with our client, decide upon which areas need to be addressed by expert testimony.<sup>1</sup>

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<sup>1</sup> The Order, as written, also requires that the parties complete expert discovery by "01/22/16", which, of course, the parties will treat to mean January of 2017.



Thank you for considering this request.

Very truly yours,

**WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP**

S/

Rosario M. Vignali  
RMV:bs

cc: Morelli Law Firm (via e-mail)  
Att: David Sirotkin, Esq.